

FILEDPROB 7A
(12/98)**Conditions of Probation and Supervised Release**

JUN 24 2005

UNITED STATES DISTRICT COURT
For The
Southern District of West VirginiaTERESA L. DEPPNER, CLERK
U.S. District & Bankruptcy Courts
Southern District of West Virginia

To: John F. Hale, Jr.

Docket Nos. 1:98-00100-01;
1:98-00103-01; 1:98-00193-01

Under the terms of your sentence, you have been placed on supervised release by the Honorable David A. Faber, Chief United States District Judge for the Southern District of West Virginia. Your term of supervision is for a period of five (5) years commencing upon release from imprisonment.

While on supervised release, you shall not commit another Federal, state, or local crime and shall not illegally possess a controlled substance. Revocation of probation and supervised release is mandatory for possession of a controlled substance.

You shall not commit another federal, state, or local crime.

You shall not illegally possess a controlled substance.

If the judgement imposed a fine or a restitution obligation, it shall be a condition of probation that you pay any such fine or restitution that remains unpaid at the commencement of the term of probation in accordance with any schedule of payments set forth in the Criminal Monetary Penalties sheet of the judgment.

You shall report in person to the probation office in the district to which you will be released within 72 hours of release from the custody of the Bureau of Prisons (supervised release cases only).

☒ You shall not possess a firearm as defined in 18 U.S.C. § 921. (Check, if applicable.)

For offenses committed on or after September 13, 1994:

You shall refrain from any unlawful use of a controlled substance. You shall submit to one drug test within 15 days of release from imprisonment or placement on probation and at least two periodic drug tests thereafter, as directed by the probation officer.

☐ The above drug testing condition is suspended based on the court's determination that you pose a low risk for future substance abuse. (Check, if applicable.)

It is the order of the Court that you shall comply with the following standard conditions:

- (1) You shall not leave the judicial district without permission of the Court or probation officer;
- (2) You shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- (3) You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- (4) You shall support your dependents and meet other family responsibilities;

- (5) You shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons;
- (6) You shall notify the probation officer ten days prior to any change of residence or employment;
- (7) You shall refrain from excessive use of alcohol;
- (8) You shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- (9) You shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- (10) You shall permit a probation officer to visit at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- (11) You shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- (12) You shall not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court;
- (13) As directed by the probation officer, you shall notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- (14) You shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance or any paraphernalia related to such substances, except as prescribed by a physician.
- (15) You shall not purchase or possess a destructive device or other dangerous weapon at any time.
- (16) You shall submit to random urinalysis or any other drug screening method whenever the same is deemed appropriate by the probation officer and shall participate in a substance abuse program as directed by the probation officer.

The special conditions ordered by the Court are as follows:

- (1) The defendant shall pay the restitution during his term of incarceration through participation in the Inmate Financial Responsibility Program with any balance to be paid through monthly installments during a term of supervised release. The restitution shall be paid jointly and severally with co-defendant Arlie H. Monk, II, to Clerk, U. S. District Court, P. O. Box 4128, Bluefield, WV, 24701, to be disbursed to McDowell County National Bank, Box 549, Welch, WV, 24801-0549.
- (2) The defendant shall be prohibited from incurring new credit charges or opening additional lines of credit without approval of the probation officer unless he is in compliance with the restitution schedule;
- (3) The defendant shall provide the probation officer access to any requested financial information; and
- (4) The defendant shall complete 200 hours of community service during his term of supervised release. The location of community service shall be determined by the probation officer, and approved by the Court.

Upon a finding of a violation of probation or supervised release, I understand that the Court may (1) revoke supervision or (2) extend the term of supervision and/or modify the conditions of supervision.

These conditions have been read to me. I fully understand the conditions, and have been provided a copy of them.

(Signed)

John F. Hale, Jr.
Defendant

05-17-05

Date

Ralph S. Giff
U.S. Probation Officer/Designated Witness

5/17/05

Date